

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TORI JANE HAM,

Plaintiff,

-against-

ICL BRONX HOUSE INSTITUTE FOR
COMMUNITY LIVING; ANGELYCE
SCOTT,

Defendants.

1:21-CV-3910 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated June 28, 2021, the Court dismissed this action but granted Plaintiff 30 days' leave to file an amended complaint to allege facts sufficient to state a claim of associational discrimination under the Americans with Disabilities Act of 1990. That order specified that if Plaintiff failed to comply, the Court would dismiss Plaintiff's claims under federal law for failure to state a claim on which relief may be granted and would decline to consider, under its supplemental jurisdiction, Plaintiff's claims under state law. Plaintiff has not filed an amended complaint. Accordingly, the Court dismisses this action. The Court dismisses Plaintiff's claims under federal law for failure to state a claim on which relief may be granted, 28 U.S.C. § 1915(e)(2)(B)(ii), and declines to consider, under its supplemental jurisdiction, Plaintiff's claims under state law, 28 U.S.C. § 1367(c)(3).

Plaintiff has consented to electronic service of court documents. (ECF 3.)

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an

appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: September 3, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge